

## IMMUNITY PLEA IS SPRUNG AGAIN

Packers Would Get Out From Under by Resorting to Former Successful Ruse

### SURPRISE IN TRIAL TODAY

Court Reserves Opinion and Orders Case to Proceed

Government Calls as Its First Witness Attorney A. V. Veeder of Swift & Company.

Chicago, Dec. 26.—Attorney John Miller created a surprise in the packers' trial today by reviving the famous immunity plea, successfully used by the packers in their trial several years ago when they were prosecuted by the government. The government opposed the motion on the ground that the court already had passed on the question in the ruling against the packers' plea in abatement. Judge Carpenter reserved his decision and ordered the government to proceed.

Albert H. Veeder, attorney for Swift & Co., was the first witness called by the government. U. S. Senator Kenyon, special counsel, took a seat with the government attorneys. Veeder said he planned the organization of Swift & Co., corporation in 1885 and had been counsel for the corporation ever since. The witness said he had assisted in the organization of the National Packing Co. in 1905 and served as a director for sixty days. Later he acted as general counsel for the year. He said Swift, Armour and Morris owned the stock of the National Packing Co.

Veeder said his son, Henry, in 1900, acted as secretary of the packers' organization that met once week in a Chicago office. These are the meetings at which the government contends the price of meat was fixed by the old packers' pool, prior to the organization of the National Packing Co. in 1907.

### Steel Corporation Gains Time.

Trenton, N. J., Dec. 26.—U. S. District Attorney Vreeland, in the United States circuit court, announced today that a further extension of time had been granted for the filing of answers in the suit of dissolution of the steel corporation. The date is February 1.

### UNDER AMERICAN FLAG.

Washington, Dec. 26.—President Taft, Postmaster-General Hitchcock, Solicitor-General Lehmann and Assistant Secretary of the Navy Winthrop, today approved a plan proposed by Senator Perkins and Representative Kahn, of California, designed to restore to the South Pacific carrying trade two American steamers and to put the American flag once again on the San Francisco-Australia route.

### FROST DAMAGES ORANGES.

San Bernardino, Cal., Dec. 26.—Inflations are that heavy damage has resulted from a frost in the orange districts of San Bernardino and Riverside counties. Reports from districts in the east end of Los Angeles county, bordering on San Bernardino, indicate the same situation there.

### GUILD SKATING PARTY.

The skating party under the auspices of the Young People's Guild of the Red Jacket Congregational church which was to have been held on Dec. 23, will take place on Jan. 5. The party will be held at the Park Rink and music will be furnished by the C. & H. band which has arranged an excellent program.

### MAY VETO PENSION BILL.

Washington, Dec. 26.—Secretary Fisher informed the president today that the Sherwood dollar-a-day pension bill would add at least seventy-five millions to the pension expenditures. It is believed Taft will veto the bill if it comes to him.

### CHANGES CANAL ZONE ORDER.

Washington, Dec. 26.—President Taft, who makes laws for the Panama Canal Zone, today amended the recent executive order regarding the practice of medicine in the zone, so as to explicitly sanction the use of Christian Science and other non-medical methods.

### NOTED COMPOSER IS DEAD.

New York, Dec. 26.—Karl Hoschna, composer of the score of "Madame Sherry" and many other well known musical comedies, died at his home here of heart failure, resulting from cirrhosis of the liver. He was born in 1876 in Austria and came to the United States when 21. He leaves a widow and two small daughters.

### NATURE FOOLED BY WEATHER.

Winsted, Conn., Dec. 26.—Owing to unusually warm weather in this section, fruit trees are in bud near Winstead and rose bushes and mountain laurel have shot forth new leaves four months ahead of schedule time.

## CALL CONVENTIONS SOON.

Republican State Central Committee Soon to Decide.

Sault Ste. Marie, Dec. 26.—W. F. Knex chairman of the Republican state central committee, has returned to this city from an extended political mission to Washington.

It is expected that a call will be issued in a few days for a meeting of the entire Republican state central committee for the purpose of arranging for the annual spring convention which will elect delegates to the Republican national convention.

It is probable that this meeting will be called for Jan. 18 and 19 in Detroit. The Michigan Press association will be in session in Detroit at the same time.

It is said that the spring convention will probably go to Detroit. Then it is probable that the big fall convention, which will nominate the balance of the state ticket below governor and lieutenant governor, will go to Grand Rapids.

## ENFORCE NON-SUPPORT LAWS.

Prosecuting Attorneys to Discuss Subject at Annual Meeting.

Lansing, Mich., Dec. 26.—The annual meeting of the Michigan Association of Prosecuting Attorneys will be held in the senate chamber in this city December 27 and 28. The association has secured a number of speakers, among others being Attorney General Kuhn, Judge Howard Wiest and the following members of the association: William W. Porter of Barry, George G. Burke of Washtenaw and D. H. Cowley of Cheboygan.

As chairman of the legislative committee former prosecuting Attorney W. C. Foster of this city will urge the indorsement of more stringent non-support laws.

## WILL MAKE GIFT TO THIS COUNTRY

PRES. FALLIERES OF FRANCE TO HEAD PUBLIC SUBSCRIPTION FOR TESTIMONIAL.

Paris, Dec. 26.—France is arranging another imposing testimonial of her friendship for the United States. Today a public subscription was opened to offer a bronze bust of "La France" by the illustrious French sculptor, Auguste Rodin, which will be placed at the base of the monument to be dedicated next June to Samuel De Champlain, the French navigator, explorer and discoverer of the lake that bears his name.

Like the gift from the people of France of Bartholdi's Statue of Liberty, the presentation of "La France," which is the figure of a woman, marks historically another epoch in the relations of fraternity between France and the United States of America. President Fallieres heads the list of subscribers.

The initiative of the movement emanated with Ambassador Jusserand. The approaching glorification of Champlain, who conceived a vast project of a French-America from Canada to Louisiana, from which later the great American republic was developed is admirably suited to express the warmth of French affection.

The bust will be mounted on a marble base, with representation of the American and French flags. It will be presented by a delegation of Frenchmen, including members of the Franco-American committee.

## LEAP YEAR ALL TIME.

Boston, Mass., Dec. 26.—According to George Willis Cooke, lecturer at the Boston school of social science, women should do the proposing. It is Mr. Cooke's idea that the supremacy of man in the family is untenable, and that conditions will be bettered by an equality of the sexes.

"A girl by all means," said he, "should propose to a man if he is her ideal. Economic independence will give them this liberty. With the coming of suffrage they will act for themselves not only politically but socially. Diffidence and shyness of girls in love-making is a retrograde—a part of the present social teachings. When women are taught or learn to act naturally their present false modesty will fall away, and they will do the proposing, as they ought."

## FRIEND OF BRYAN SUICIDES.

Plainfield, N. J., Dec. 26.—William Patterson, of Lincoln, Neb., friend of William Jennings Bryan, who disappeared from his daughter's home here Sunday, was found dead today in North Plainfield with his throat cut. The police say it is a case of suicide. He has been depressed.

## TWO AGED WOMEN BURNED.

Aberdeen, Md., Dec. 26.—Mrs. Betty Keithley, aged seventy-eight, and Mrs. Susan Mailerock, eighty-one, a widow, were burned to death in a two-story house here Sunday. The fire of unknown origin which destroyed their home at Carson's Run this morning.

## JAPS MAP RUSSIAN FRONTIER.

Mukden, Dec. 26.—It is reported here that Japan has made a complete survey of the Russian frontier. Russian officials insist that Amur and other provinces in the future will be closed to Japanese officials.

## OPTIONAL LAW IS RECOMMENDED

Report of State Commission's Proposed Liability Act is Made Public

### RESULT OF THOROUGH STUDY

Is Thought to be Most Complete of Any State

Said That Its Features Will Make it Desirable for All Employers to Accept It.

Lansing, Mich., Dec. 26.—The report of the commission appointed by Governor Osborn to inquire into the matter of compensation for injuries or death of workmen in the performance of duty has been made public.

The report recommends an employer's liability and workmen's compensation law which will put Michigan in the forefront of those states in the union which have adopted this advanced and progressive legislation.

The members of the commission are unanimous in their recommendation. These members are as follows: Hal H. Smith of Detroit, Charles R. Sligh of Grand Rapids, William P. Belden of Lapeer, Michael P. McCuen of Grand Rapids and O. L. Reeves of Jackson. R. L. Drake of Detroit has been the secretary.

An Optional Law. The commission recommends an OPTIONAL—as set off against a COMPULSORY—law for Michigan. This recommendation was unanimously agreed upon because of the fact that the constitutionality of compulsory laws of this character is seriously in doubt, whereas the constitutionality of the optional law, while never tried in the highest court in the land, is, nevertheless, seemingly reasonably assured.

The recommended law is optional for both employer and employee. The employer must notify the new state department in charge of this new work if he elects to come under the provisions of the bill. If he does not so notify the state, he is presumed NOT to have accepted its provisions. On the other hand, after the employer has elected to accept the provisions of the bill, he posts a notice where all of his employees can see it and unless employees specifically notify the employer that they do NOT wish to take advantage of the law, they are presumed to have elected to accept its provisions.

The bill provides for the repeal of the three important employers' defenses: First, contributory negligence; second, negligence of a fellow-employee; third, assumption of risk by the employee.

Important Provisions. If an employer does not elect to come under the provisions of the bill, he has none of these defenses in an action at law for damages by an injured employee; and, therefore, as a matter of fact, the law will come pretty close to being compulsory in actual operation. But, if an employer elects to accept this law and he is then sued for damages by an employee, the defenses are NOT taken away from him. Thus again is incentive added to the acceptance of the law by the employer.

The new bill would apply to all employers in the state except domestic servants and farm labor. These are

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## BRYAN TO WRITE PARTY PLATFORM

WON'T LET DEMOCRATS REPEAT THE "BLUNDER" OF CONVENTION OF EIGHT YEARS AGO.

New York, Dec. 26.—When Colonel William J. Bryan was most recently in New York on the eve of his excursion to the West Indies he met informally a number of Democratic leaders of this city, some of whom have always been staunch in their loyalty to him, others having at times opposed his policies.

To these friends Colonel Bryan spoke with much freedom. He discussed the existing conditions in the Democratic party and the action he thought congress should take in the session which will not end until after the presidential nominations are made next spring; but the most emphatic and earnest of his comments related to the Democratic national convention. He made it clear to his friends that his purposes are all centered upon the control of that convention. He also intimated that he must be taken as having spoken with perfect sincerity when he said a few months ago that he would not

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## \$25,000 FIGHT FOR JOHNSON.

Salt Lake City, Dec. 26.—Jack Curley, Chicago manager of Jim Flynn, pugilist heavyweight, announced today he would guarantee Jack Johnson \$25,000 for his share of a purse, win, lose or draw, for a finish fight with Flynn for the heavyweight championship of the world, Nevada to be the battle grounds.

Must Make it \$30,000. Jack Johnson, heavyweight champion of the world, today said, referring to the challenge made by Jack Curley in behalf of Jim Flynn of Pueblo, "I am willing to meet Flynn, but the purse must be \$30,000."

## LOSE MONEY ON TWINE.

Lansing, Dec. 26.—Those in the state who during the last four years have been led to believe that the binder twine plant in the state prison at Jackson was a paying proposition for the state will be much surprised to learn that instead of the plant making \$55,000 for the state during the last four years, as has been stated on previous occasions, it has lost \$2,500 in the four years of its operations.

## ITALY AND TURKEY BOTH WANT PEACE

EACH IS MAKING EFFORTS TO FIND POSSIBLE BASIS FOR BRINGING THE WAR TO AN END.

Rome, Dec. 26.—The exchange of communications between the Italian foreign office and the European powers is proceeding with the greatest activity. The war in Tripoli and the renewal of the alliance between Germany, Austria-Hungary and Italy are being discussed.

Efforts are being made both by Turkey and Italy to find a possible basis for peace. It is intimated that the negotiations may result in a strengthening of the triple entente between Great Britain, France and Russia.

Dr. Sen and Wu Agree. Shanghai, Dec. 26.—Dr. Sun Yat Sen, who, it is proposed, to make president of the Chinese republic, had a conference yesterday with Wu Ting Fang, chief of the revolutionary delegates at the peace conference. A complete agreement was reached and the revolutionaries are showing a more united front than before. Nanking probably will be chosen the capital of the new republic.

Special National Assembly. Peking, Dec. 26.—Premier Yuan Shi Kai submitted to prominent Manchus here the proposal emanating from Shanghai for a meeting of a special national assembly to decide the future of the government of China. Such a national assembly, if the Manchus accept Yuan's proposal, would, it is believed, decide in favor of a republic.

Persian Situation Serious. London, Dec. 26.—The proclamation of martial law at Teheran, following Shuster's dismissal by the Persian cabinet and fragmentary reports received of the massacre by Russian soldiers as Resht, is causing apprehension here.

Little additional information regarding the reported massacre has been received, according to the latest advices the main trouble occurred Sunday when the killed at Resht are said to have numbered five hundred, including some women and children.

The strategic point of Tabriz is another center of constant and serious collisions between Russians and Persians. Russian troops there have come into contact on several occasions with the populace, and one dispatch says Russian artillery swept the streets while another, through Russian sources, says anarchy exists.

## HERO OF MANILA BAY IS 74 TODAY

ADMIRAL DEWEY, RANKING OFFICER OF NAVY, COMPLETELY RECOVERED FROM RECENT ILLNESS.

Washington, D. C., Dec. 26.—Admiral George Dewey, hero of the battle of Manila Bay, and the ranking officer of the United States Navy, entered upon his seventy-fifth year today, having been born at Montpelier, Vt., December 26, 1837. There was no formal observance of the anniversary, though during the day there was an almost continuous stream of callers at the Dewey residence. The Admiral remained at home with his family and gave a cordial welcome to the many friends who called to pay their respects.

Recovers From Illness. Admiral Dewey has almost completely recovered from the illness which confined him to his home some months ago and is now in good health, considering his years and arduous service. It has been a matter of regret in society that the Admiral and Mrs. Dewey have been seen so seldom in public during the past year or two. The hero of

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## PROGRESSIVES IN TAFT'S STATE

La Follette and Other Leaders Open Campaign For Support of Buckeyes

### WILL STUDY THE SITUATION

Politician Declares Ohio is Ripe For the Picking

Entire Week to be Devoted to Effect by Most Prominent Men in Progressive League.

Columbus, O., Dec. 26.—The recent declaration of a prominent politician that President Taft's own State is ripe for picking by the Progressives is to receive the acid test this week. Beginning today and continuing until next Saturday night the Buckeye State, from Lake Erie to the Ohio River, will resound with the campaign oratory of the best speakers enrolled under the banner of the Progressive Republican League. When the attack is concluded it is safe to assert that the anti-Taft forces will be pretty certain in their own minds whether or not the President can rely on the support of his home State in his fight for reelection.

Senator La Follette of Wisconsin is the leader of the Progressive invasion. The presidential aspirant from the Badger State is scheduled to begin his oratorical bombardment at Youngstown tomorrow afternoon. Cleveland, Toledo, Dayton, Cincinnati and several other of the larger cities will hear him later in the week.

While Senator La Follette, as commander-in-chief is devoting his attention to the big cities, the smaller communities will be attacked simultaneously by some of the ablest campaigners of the Progressive league. Chief among these speakers will be Louis D. Brandeis of Boston, Clifford Pinchot, Senator Clapp of Minnesota, Senator Brewster of Kansas and Congressman Lenroot of Wisconsin.

## SWISS SYSTEM OF RECALL.

Tucson, Ariz., Dec. 26.—When the legislature convenes in Phoenix in February it will be asked to adopt the Swiss system of recall and let the Oregon system which was voted out of the constitution Dec. 12 on the ultimatum of President Taft go by the boards.

The essential difference between the Swiss system and the Oregon plan is that under the former the only thing voted on in a recall election is the recall of the accused official and in the event of his elimination, the governor appoints his successor.

## MAKES GIFT TO HARVARD.

Cambridge, Mass., Dec. 26.—A Harvard alumnus, who wishes his name withheld, has given the university the sum of \$50,000 for the erection of a three-story brick building to be devoted solely to music, according to an announcement made by the faculty.

## KING GREAT MARKSMAN.

Delhi, Dec. 26.—Three tigers and two rhinos fell victims of King George's aim during his hunt of one day as the guest of the rajah of Nepal, according to advices here. The king is being praised for his excellent marksmanship. Six hundred elephants and forty automobiles are being used in the hunt.

## TELEPHONE GIRL PREVENTS PANIC

CALMLY SUMMONS ASSISTANCE WHEN FIRE BREAKS OUT IN HOTEL LA SALLE IN CHICAGO.

Chicago, Ill., Dec. 26.—When a fire started in the telephone switch board of the Hotel LaSalle early today, Miss Marguerite Farrell an operator, did not become excited, but instead she calmly summoned assistance by telephone.

The blaze had been extinguished before any of the five hundred guests in the hotel were aware of a fire existed. Crossed electric wires caused the blaze.

Only a thin line of smoke was visible when Miss Farrell noticed the trouble. Then she called the manager of the telephone service and the fire alarm office by telephone from the burning switch board.

The fire had a good start when chemicals were applied to it. The firemen entered the hotel by a side entrance so that their presence might not be noticed.

"I didn't have time to become excited," explained Miss Farrell between calls for "number" at the damaged switch board a few minutes after the fire had been extinguished.

## DETROIT PRINCESS TO WED.

Clare Huntington Hatsfeldt Engaged to British Officer.

London, Dec. 26.—A wedding in exclusive society circles that is set for an early date and is causing much gossip is that of the Princess Clara Hatsfeldt, formerly of Detroit, Mich., a member of the Collis P. Huntington family, and Fred Crumphy, a former lieutenant in the British navy, whose brother killed himself recently.

Crumphy resigned from the navy to go into the brokerage business and has recently handled much of the princess' business affairs. He is nine years her junior.

## WILL QUIT POLITICS.

Toledo's Well Known Mayor Announces This Intention.

Toledo, O., Dec. 26.—Mayor Brand Whitlock announced today that at the expiration of his two-year term, which begins January 1, 1912, he will quit politics forever. He will devote his time to literary work. He also has under advisement the writing of three plays for different theatrical producers.

Mayor Whitlock's declaration was brought forth due to the persistent rumor that he would be a candidate on the Democratic ticket for congressman in the Ninth district next fall to succeed Congressman L. R. Sherwood.

## MANY FAMILIES HOMELESS.

Macon, Ga., Dec. 26.—Ocmulgee river, fed by 49 hours of unceasing rain in middle Georgia, flooded over the danger line at 8 o'clock tonight, and in the flat lands of Macon, and by 10 o'clock 30 families, with the water at their thresholds, had fled to higher levels for safety, many leaving their belongings to the mercy of the waters.

## MISS DRAPER TO MAKE HER DEBUT

\$25,000 TO BE SPENT ON FUNCTION AT WHICH HELEN TAFT'S FRIEND WILL BE PRESENTED.

Washington, D. C., Dec. 26.—A new mark for lavishness and splendor is expected to be set for society by the entertainment to be given by Mrs. William P. Draper tomorrow night to introduce formally her daughter, Miss Marguerite Draper, who is a close friend of Miss Helen Taft. The function will take the form of a fancy dress cotillon. Several hundred guests have been invited, among them the socially elect of Washington and others from Boston, New York, Philadelphia and other cities.

## Some of Big Features.

It is estimated that the cost of the function will exceed \$25,000. The walls and ceiling of the large ball room will be hidden from view entirely by the floral decorations. Live humming birds brought from Florida and butterflies from California will fly around the miniature garden of daisies and rare exotics that is to be the central feature of the decorative scheme. The flowers have been carefully kept from view and much mystery surrounds them. They are said to be the most numerous and valuable ever given at a Washington cotillon.

## Richest Girl in Washington.

Miss Marguerite Draper, who is to make her formal bow to society, is popularly known as the richest unmarried woman in Washington. She is inherited from her father, the late General William P. Draper, representative from Massachusetts and later ambassador to Italy, a fortune of \$5,000,000. She was to have been brought out here two years ago, but the death of her father made a postponement necessary and Miss Draper has spent the intervening time in European travel with her mother.

## Has Been Presented at Court.

She already has been presented at the court of St. James and has had considerable experience of social life in England and on the Continent. She is the namesake and god-daughter of Queen Margherite of Italy, who presented her with one of her famous pearls as the nucleus of a necklace. The stone given by the Queen has been equaled by others, which have been added by Miss Draper's parents and the young woman's string of pearls is said to be one of the finest and most valuable owned by any woman in America.

## RETAIN STATE PROPERTY.

Lansing, Mich., Dec. 26.—Complaints have been filed with the attorney-general that two prominent former M. N. G. officers have state property that has been retained after their services with the M. N. G. ceased, and that such property represents several hundred dollars. Deputy Attorney-General Chase has written to two prosecuting attorneys in the state asking them to investigate.

## THOMPSON'S SUCCESSOR.

Saginaw, Mich., Dec. 26.—Governor Osborn last night announced the appointment of W. D. Merriam of this city to succeed James H. Thompson, of Lansing, as a member of the board of state tax commissioners. Merriam is a democrat and a retired manufacturer.

## MADERO NOW HAS CLEAR SAILING

Surrender of General Reyes, Yesterday, Ends Most Perplexing Problem

### OLD WARRIOR DOWN AND OUT

Many Small Revolts in Mexico are Attributed to Him

Discouraged He Gives Himself Up and Pleads for His Small Band of Followers.

Mexico City, Dec. 26.—The surrender of General Reyes, at Linares, Nuevo Leon, yesterday, it is believed here marks the end of the most perplexing problem yet brought before the Madero government.

Reyes for years had a considerable following, and when he started the latest revolution there was much apprehension in government circles. The small revolts all over the country recently are attributed to Reyes.

On November Reyes was indicted by a Federal grand jury at Laredo, Texas, and released on \$10,000 bail, for violation of the neutrality laws. His trial was set for the April term of the Federal court at Laredo.

Tiding alone into Linares yesterday, the gray-haired rebel gave himself up. He frankly admitted his dream of another successful revolution had come to an end and placed himself at Trevino's disposal.

"I called upon the army, I called on the people," said the broken general, "and no one responded. This attitude I regard as a protest and I am resolved not to continue this war against the government. I place myself at your disposal."

Reyes asks no guarantees for himself, but pleaded for mercy for the little group of men who have followed him in his wanderings.

An order has been issued that Reyes be brought to Mexico City and confined in the penitentiary before the end of the week.

## Members of Mob Killed.

Pachuca, Mexico, Dec. 26.—Three persons were killed and more than twenty wounded Sunday night when the rurales fired into a crowd parading the streets, shouting for Zapata. All efforts to disperse the mob by other means had failed. The city is quiet today.

## JURY TO TRY RICHESON.

Special Verdict of 250 Men Drawn Today to Try Minister.

Boston, Mass., Dec. 26.—A special venire for jurors for the trial of Rev. Clarence V. T. Richeson, charged with the murder of Avis Linnell, was issued today. About 250 men will be drawn for the trial which will begin January 15, if Richeson is able to appear. Considerable difficulty is expected in securing unbiased men to hear the evidence in the case.

The issuance of the venire is believed to remove all question as to whether the trial will begin on the date set. Almost a precedent will be established for Massachusetts by the speed with which Richeson will face the accusation. When the impounding of the jury begins on January 15 it will be approximately three months to a day from October 14, the date upon which Avis Linnell died of cyanide poisoning.

## GAYNOR'S ASSAILANT.

Gallagher Suffering With Paralysis and Won't Live Long.

Trenton, N. J., Dec. 26.—Upon application of State Prison Keeper Osborn a special commission was named today to pass upon the sanity of James H. Gallagher, who is serving a twelve-year sentence at the prison for shooting Street Commissioner Edwards of New York at the time Gallagher tried to assassinate Mayor Gaynor of New York, as he was about to sail for Europe.

It is contended that Gallagher is suffering from paralysis and will probably not live more than a year.

## DR. MAYO WILL RECOVER.

New York, N. Y., Dec. 26.—The physicians attending Dr. Charles Horace Mayo, of Rochester, Minn., surgeon, who underwent an operation Saturday for gall stones a few days after he had been successfully operated for appendicitis, say that the patient's condition is satisfactory and that the outlook for a complete recovery is excellent.

Dr. Mayo spend a fairly good night.

## RUSSIAN JACKIES IN REVOLT.

London, Dec. 26.—Dispatches from St. Petersburg report that a mutiny has broken out at the Naval ordnance yard. Several mutineers were wounded by troops sent to repress the insubordination.

## NOTED LEGAL LIGHT DEAD.

Harrisburg, Ill., Dec. 26.—S. P. Willford, once one of the best known criminal lawyers in Illinois, is dead.